

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DALI WIRELESS, INC.,

Plaintiff,

v.

**CORNING, INC. and CORNING
OPTICAL COMMUNICATIONS LLC,**

Defendant.

Civil Action No. 6:20-CV-01108-ADA

JURY TRIAL DEMANDED

**CORNING, INC. AND CORNING OPTICAL COMMUNICATIONS LLC'S
SECOND STATUS REPORT REGARDING THEIR MOTION TO TRANSFER VENUE
PURSUANT TO 28 U.S.C. § 1404(a)**

STATUS REPORT

Defendants Corning, Incorporated and Corning Optical Communications LLC (collectively, “Corning”) hereby submit this second status report pursuant to the Court’s August 18, 2021 Second Amended Standing Order Regarding Motions for Inter-District Transfer.

On December 30, 2020, Corning filed their Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(a). *See* Dkt. 12. Thereafter, Plaintiff Dali Wireless, Inc. (“Dali”) took venue-related discovery of Corning.

On April 23, 2021, Dali filed its Opposition to the Corning Defendants’ Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(a). *See* Dkt. 20.

On April 30, 2021, Corning filed their Reply in Support of Their Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(a). *See* Dkt. 25.

On May 14, 2021, Dali’s counsel emailed the Court advising that the Parties have not identified any disputes concerning claim construction and that the July 26 Markman hearing can be vacated.

On June 14, 2021, Corning filed their first status report pursuant to the Court’s June 8, 2021 Amended Standing Order Regarding Motions for Inter-District Transfer. *See* Dkt. 26.

On June 24, 2021, the Court issued an Order Appointing Technical Advisor. *See* Dkt. 29. Dr. Joshua J. Yi was appointed as the technical advisor. *Id.*

On June 25, 2021, the Parties informed Dr. Yi that they have not identified any disputes concerning claim construction, they requested that the Court vacate the July 26 Markman hearing, and they did not intend on providing Dr. Yi with technology tutorials at that time. Dr. Yi responded that the Parties could disregard the Order requiring technology tutorials.

On July 20, 2021, the court issued an Order Cancelling Markman Hearing. *See* Dkt. 30.

On July 27, 2021, fact discovery commenced without a ruling on Corning's motion to transfer.

Therefore, Corning's Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(a) has been fully briefed, remains pending, and is ready for resolution.

Dated: August 19, 2021

Respectfully submitted,

By: /s/ Michael J. Newton

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*Attorneys for Corning, Inc. and Corning
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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on August 19, 2021.

/s/ Michael J. Newton